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13 IDS Property Casualty Insurance Company

8 **UNITED STATES DISTRICT COURT**  
9 **FOR THE DISTRICT OF NEVADA**

10 IDS PROPERTY CASUALTY INSURANCE  
11 COMPANY, a Wisconsin Corporation

12 Plaintiff,

13 v.

14 KATLYN CUNNINGHAM, an Individual;  
15 DOES 1-10 and ROES 1-10

16 Defendants

Case No.: 2:20-cv-00209-JAD-  
VCF

**STIPULATION AND ORDER  
TO EXTEND DISCOVERY  
DEADLINES AND CONTINUE  
TRIAL**

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18 Plaintiff IDS Property Casualty Insurance Company, and Defendant Katlyn  
19 Cunningham, by and through their respective counsel of record, hereby stipulate  
20 and agree, according to LR 26-3, to continue the discovery dates in this matter and  
21 request that the court enter a new Discovery Scheduling Order containing said  
22 agreed-upon dates.

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**A. STATEMENT SPECIFYING THE DISCOVERY COMPLETED:**

The following discovery has been completed by the parties:

1. Plaintiff IDS Casualty Company's Initial Disclosures;
2. Defendant's Initial Disclosures;
3. Plaintiff IDS Casualty Company's requests for admissions to Defendant Cunningham;
4. Plaintiff IDS Casualty Company's requests for production of documents to Defendant Cunningham;
5. Plaintiff IDS Casualty Company's interrogatories to Defendant Cunningham;
6. Defendant's requests for admissions to Plaintiff IDS Casualty Company;
7. Defendant's requests for production of documents to Plaintiff IDS Casualty Company;
8. Defendant's interrogatories to Plaintiff IDS Casualty Company;

**B. A SPECIFIC DESCRIPTION OF THE DISCOVERY THAT REMAINS TO BE COMPLETED:**

1. Plaintiff IDS Casualty Company's responses to Defendant Cunningham requests for admissions;
2. Plaintiff IDS Casualty Company's responses to Defendant Cunningham requests for production of documents;
3. Plaintiff IDS Casualty Company's responses to Defendant Cunningham interrogatories;





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4. Defendant Cunningham's responses to Plaintiff IDS Casualty Company's requests for admissions;
5. Defendant Cunningham's responses to Plaintiff IDS Casualty Company's requests for production of documents;
6. Defendant Cunningham's responses to Plaintiff IDS Casualty Company's interrogatories;
7. Deposition of Person most knowledgeable of Plaintiff IDS Casualty Company;
8. Deposition of Defendant Cunningham;
9. Plaintiff IDS Casualty Company's designation of expert witnesses;
10. Defendant Cunningham's designation of expert witnesses;
11. Deposition Plaintiff IDS Casualty Company's expert witnesses;
12. Deposition of Defendant Cunningham's expert witnesses;
13. Additional Supplemental Disclosures;
14. Any other related discovery deemed necessary.

**C. THE REASONS WHY THE DISCOVERY REMAINING WAS NOT COMPLETED WITHIN THE TIME LIMITS SET BY THE DISCOVERY ORDER:**

While the parties have pursued discovery based on the undisputed issues in the case, the complaint is not yet at issue due to a pending FRCP 12(b)(6) motion to dismiss defendant's counterclaims for negligence. Until that motion is decided and plaintiff answers the counterclaims, the full scope of discovery cannot be

1 ascertained, let alone completed. Depending on the outcome of the motion to  
 2 dismiss, a motion for summary judgment under FRCP 56 may also be necessary.

3 In addition, for the entirety of the case to date, the COVID-19 pandemic and  
 4 the associated lockdowns in the State of Nevada and elsewhere have made  
 5 completing discovery unusually difficult. It has delayed getting the necessary  
 6 information to complete responses to interrogatories and requests for production.  
 7 It has also made completing depositions challenging, especially where plaintiff's  
 8 personnel who handled the claim no longer work for plaintiff and reside outside the  
 9 State of Nevada.

10 **D. A PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING**  
 11 **DISCOVERY:**

	Old Deadline	New Deadline
12 Initial Expert Disclosures:	11/16/2020	<b>02/14/2021</b>
13 Rebuttal Expert Disclosure:	12/16/2020	<b>03/16/2021</b>
14 Amend Pleadings or Add Parties:	10/16/2020	<b>01/14/2021</b>
15 Close of Discovery:	01/15/2021	<b>04/15/2021</b>
16 Dispositive Motion Deadline:	02/15/2021	<b>05/16/2021</b>

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**SO, AGREED.**

DATED October 29<sup>th</sup>, 2020

DATED October 29<sup>th</sup>, 2020

**CARMAN COONEY FORBUSH  
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**CLEAR COUNSEL LAW GROUP**

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/s/Dustin Birch, Esq.

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Attorneys for Plaintiff

Attorneys for Defendant

IDS Property Casualty Insurance

Katlyn Cunningham

Company



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**ORDER**

Upon Stipulation by Counsel for the Parties, and good cause appearing therefore, IT IS HEREBY ORDERED that the discovery deadline schedule shall be as follows:

Initial Expert Disclosures: **02/14/2021**

Rebuttal Expert Disclosure: **03/16/2021**

Amend Pleadings or Add Parties: **01/14/2021**

Close of Discovery: **04/15/2021**

Dispositive Motion Deadline: **05/16/2021**

Joint Pretrial Order: **06-16-2021**

If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.

DATED this 29th day of October, 2020.



Cam Ferencbach  
United States Magistrate Judge

Submitted by:

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